

# **Interview Summary**

Application No.

09/671,478

Applicant(s)

WAKABAYASHI ET AL.

Examiner

Aristotelis M Psitos

Art Unit

2653

#11  
MDJ  
10-16-02

All participants (applicant, applicant's representative, PTO personnel):

(1) Aristotelis M Psitos.

(3) \_\_\_\_\_.

(2) Richard Elias.

(4) \_\_\_\_\_.

Date of Interview: 15 October 2002.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: fac. proposed amendments.

Claim(s) discussed: 1.

Identification of prior art discussed: Oshima.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

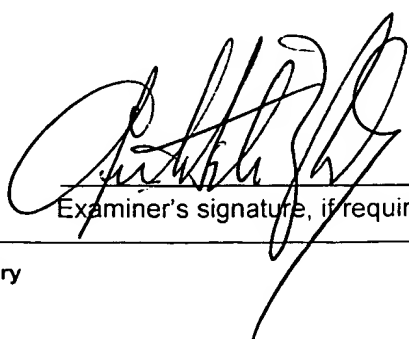
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussion of proposed amendments to overcome the rejections of record. The examiner indicated that such would do so provided that the structure claimed finds no clear support in the Oshima reference. Discussion centered on the primary reference lacking pits The examiner suggested the filing of a RCE.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview(if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

#### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

##### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should check the appropriate box at the bottom of the Form which informs the applicant that the submission of a separate record of the substance of the interview as a supplement to the Form is not required.

It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

#### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

**OLIFF & BERRIDGE, PLC**

ATTORNEYS AT LAW

277 SOUTH WASHINGTON STREET, SUITE 500  
ALEXANDRIA, VIRGINIA 22314

TELEPHONE: (703) 836-6400

FACSIMILE: (703) 836-2787

E-MAIL: COMMCENTER@OLIFF.COM  
WWW.OLIFF.COM**FACSIMILE TRANSMISSION COVER SHEET**

October 7, 2002

To: Examiner Aristotelis Psitos  
United States Patent and Trademark Office  
Group Art Unit 2653

Fax: 703-872-9314

From: Richard S. Elias

Your Ref.: 09/671,478

Our Ref.: 107454

Number of Pages Sent (Including cover sheet): 4

Prepared By: RSE/alp

**Comments:**

Sent by: alp

This facsimile is intended only for the use of the individual or entity named above and may contain privileged or confidential information. If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are notified that any review, dissemination, distribution or copying of this facsimile is prohibited. If you have received this facsimile in error, please immediately notify us by facsimile or telephone, and return the facsimile to us by mail at the above address.

Docket No. 7454

Application No. 09/671,478

## APPENDIX

## Changes to Title:

The following is a marked-up version of the amended title:

**PROPOSED**

INFORMATION RECORDING MEDIUM WITH MAGNETIC MARKS, RECORDING  
AND REPRODUCING APPARATUS THEREFOR, AND REPRODUCING HEAD  
POSITIONING METHOD USING A SERVO PATTERN BEING FORMED AS  
MAGNETIC MARKS DETECTED MAGNETIC LEAKAGE FIELDS FROM MAGNETIC  
MARKS

## Changes to Claims:

The following is a marked-up version of the amended claims:

1. (Twice Amended) An information recording medium on which information is recorded with light and an external magnetic field applied to the recording medium, the information recording medium comprising:

a substrate formed without pit patterns; and  
a magnetic layer formed on the substrate;

the magnetic layer including a data region and a positioning region, the positioning region having management information for managing the data region and a servo pattern, the management information and the servo pattern being formed as magnetic marks,

wherein the information is recorded onto the magnetic layer with the light and the external magnetic field and is reproduced from the magnetic layer by detecting a magnetic leakage field generated leaking from the magnetic layer mark.

6. (Amended) A recording and reproducing apparatus for recording information on and reproducing information from an information recording medium including a substrate and a magnetic layer provided on the substrate, the magnetic layer having a servo pattern and

pg. 13 of  
spec.

manufacturing  
doesn't define  
over

? new matter? ... conventional  
mag disc

desired  
result(s)  
BS

Docket No. 107454

Application No. 09/671,478

management information recorded thereon as magnetic marks, the recording and reproducing apparatus comprising:

an optical head for irradiating the information recording medium with light during information recordation;

a recording magnetic head for applying a recording magnetic field to the information recording medium;

a reproducing magnetic head for detecting magnetic leakage fields from the magnetic marks on the magnetic layer during information reproduction;

a first positioner for positioning the optical head and the recording magnetic head at a target track of the information recording medium on the basis of magneto-optical signals from the magnetic marks; and

a second positioner for positioning the reproducing magnetic head at the target track during information reproduction, with the reproducing magnetic head using the detected magnetic leakage fields leaking from the magnetic marks to position the reproducing magnetic head.

7. (Amended) The recording and reproducing apparatus defined in Claim 6, wherein the first positioner includes:

a detector for detecting light from the magnetic marks;

a first control signal generator for obtaining positional information about the optical head and the recording magnetic head from detected signals from the magnetic marks detected by the detector, and generating a control signal for positioning the optical and recording magnetic heads at the target track; and

a first actuator for moving the optical head and the recording magnetic head to the target track on the basis of the control signal.

doesn't  
def me  
also needs  
correct  
input at  
cyst  
2-21 8016

Docket No. 107454

Application No. 09/671,478

8. (Amended) The recording and reproducing apparatus defined in Claim 6, wherein the second positioner includes:

a second control signal generator for obtaining positional information about the reproducing magnetic head from signals from the magnetic marks detected by the reproducing magnetic head, and generating a control signal for positioning the reproducing magnetic head at the target track; and

a ~~second~~ actuator for moving the reproducing magnetic head to the target track on the basis of the control signal from the second control signal generator.

16. (Amended) A method for positioning an optical head, a recording magnetic head and a reproducing magnetic head at a predetermined track of an information recording medium including a substrate and a magnetic layer provided on the substrate, the magnetic layer having magnetic marks recorded thereon which represent a servo pattern and management information, the method comprising the steps of:

irradiating the information recording medium with a laser beam to detect magneto-optical signals from the magnetic marks, and controlling the positions of the optical head and the recording magnetic head on the basis of the detected magneto-optical signals, during information recordation; and

detecting magnetic leakage fields leaking from the magnetic marks with the reproducing magnetic head, and controlling the position of the reproducing magnetic head ~~on the basis of using~~ the detected magnetic leakage fields, during information reproduction.